

SEP 28 2004

PATENT
Attorney Docket No. UM-06669

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Uhler

Serial No.: 10/002,802

Group No.: 1636


Filed: 11/02/01

Examiner: Nguyen, Q.

Entitled: **Surface Transfection And Expression
Procedure**

FACSIMILE TRANSMISSION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

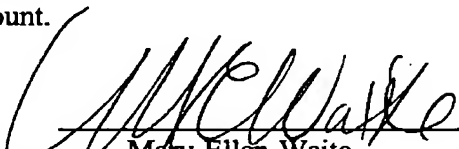
CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.8(a)(1)(i)(B)	
I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being transmitted by facsimile to Examiner Quang Nguyen at facsimile no. 703/872-9306.	
Dated: <u>September 28, 2004</u>	By:  Mary Ellen Waite

I hereby certify that I have sent via facsimile the following documents to Examiner Quang Nguyen at facsimile no. 703/872-9306

Terminal Disclaimer to Obviate A Provisional Double Patenting Rejection Over a Prior Patent Or Pending Application.

The Commissioner is hereby authorized to charge Deposit Account No. 08-1290 the fee for the terminal disclaimer (\$55.00) and any fees associated with this communication or credit any overpayment to the deposit account.

Dated: September 28, 2004


Mary Ellen Waite
MEDLEN & CARROLL, LLP
101 Howard Street, Suite 350
San Francisco, California 94105
608/218-6900

BEST AVAILABLE COPY

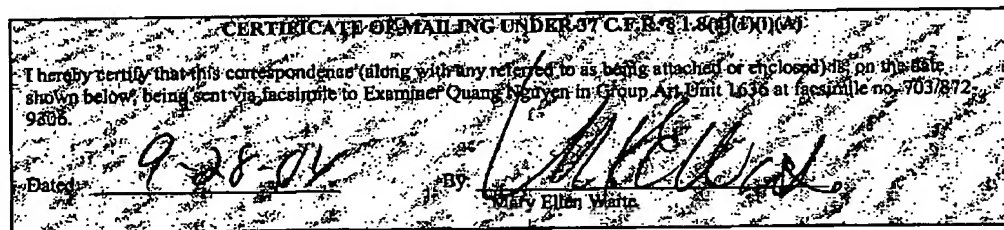
SEP 28 2004

PATENT
Attorney Docket No. UM-06669**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Uhler
Serial No.: 10/002,802 Group No.: 1636
Filed: 11/02/01 Examiner: Nguyen, Quang
Entitled: **SURFACE TRANSFECTION AND EXPRESSION PROCEDURE**

**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE
PATENTING REJECTION OVER A PRIOR PATENT OR PENDING
APPLICATION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



Sir:

I, Tanya A. Arenson, represent that I am an agent of record for this invention. The Assignee, The Regents of the University of Michigan, 3003 South State Street, Ann Arbor, Michigan 48109-1280, is the owner of one-hundred percent (100%) interest in the instant application. The assignment from the inventors was recorded in the Patent and Trademark Office at Reel 012816, Frame 0991.

Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173 of claims 8-15 of prior Application No. 10/123,435, and hereby agrees that any patent so granted on the above-identified instant application shall be enforceable only for and during such period that the legal title to said patent be the same as the legal title to the above referenced patents, this agreement to run with any patent granted on the above-identified instant application and to be binding upon the grantee, its successors or assigns.

PATENT
Attorney Docket No. UM-06669

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, in the event that any Patent issuing from Application no. 10/123,435 should expire for failure to pay a maintenance fee, are held unenforceable, are found invalid by a court of competent jurisdiction, are statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321, have all claims cancelled by a reexamination certificate, are reissued, or are otherwise terminated prior to the expiration of their full statutory terms.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned is empowered to act on behalf of the assignee.

Dated: September 28, 2004



Tanya A. Arenson
Reg. No. 47,391

MEDLEN & CARROLL, LLP
101 Howard Street, Suite 350
(608) 218-6900

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ **BLACK BORDERS**
- ☐ **IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- ☐ **FADED TEXT OR DRAWING**
- ☐ **BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- ☐ **SKEWED/SLANTED IMAGES**
- ☐ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- ☐ **GRAY SCALE DOCUMENTS**
- ☐ **LINES OR MARKS ON ORIGINAL DOCUMENT**
- ☐ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- ☐ **OTHER:** _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.